

**CITY OF MUSKEGON**  
**PLANNING COMMISSION**  
**REGULAR MEETING**

DATE OF MEETING: Thursday, June 15, 2017  
TIME OF MEETING: 4:00 p.m.  
PLACE OF MEETING: Commission Chambers, First Floor, Muskegon City Hall

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**AGENDA**

- I. Roll Call
- II. Approval of Minutes from the special meeting of May 22, 2017.
- III. Public Hearings
  - a. **Hearing, Case 2017-14:** Request for a Special Use Permit to operate a banquet facility, community center, day care, office and ice cream shop in an R-1, Single Family Low Density Residential District at 2330 Barclay St by 1 Chronicles 4:10, LLC.
  - b. **Hearing, Case 2017-15:** Staff-initiated request to amend Section 2334 of the zoning ordinance to amend the rules on electronic message board signs and to allow them in B-1, Limited Business Districts and WM, Waterfront Marine Districts, as well as at churches in all zoning districts and all businesses that have been granted a special use permit in residential districts.
  - c. **Hearing, Case 2017-16:** Staff-initiated request to rezone several parcels to R-2, Single Family Medium Density Residential District. Please see map for a description of parcels to be rezoned.
  - d. **Hearing, Case 2017-17:** Staff-initiated request to rezone several parcels to R-3, Single Family High Density Residential District. Please see map for a description of parcels to be rezoned.
- IV. New Business
- V. Old Business
- VI. Other
- VII. Adjourn

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CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting, upon twenty-four hour notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following:

Ann Meisch, City Clerk  
933 Terrace Street  
Muskegon, MI 49440  
(231) 724-6705

TTY/TDD: Dial 7-1-1 and request that a representative dial 231-724-6705

## STAFF REPORT

June 15, 2017

**Hearing, Case 2017-14:** Request for a Special Use Permit to operate a banquet facility, community center, day care, office and ice cream shop in an R-1, Single Family Low Density Residential District at 2330 Barclay St by 1 Chronicles 4:10, LLC.

### **SUMMARY**

1. The building at 2330 Barclay St was the former location of the Moose Lodge, which closed over 10 years ago. The owner would like to utilize this building in a similar manner as before, with a banquet facility/community center, and also add office space, a day care and an ice cream shop.
2. The property is zoned R-1, Single Family Low Density Residential, which allows previously existing or established commercial uses not already converted to residential the ability to run limited businesses with a special use permit.
3. The lot is approximately 6.4 acres. The main building measures approximately 13,000 sf and the gazebo/storage building measures approximately 2,200 sf. There are two entrances to the lot and enough parking space to cover all of the proposed uses.
4. A privacy fence runs along the southern border of the property, screening the residential uses to the south.
5. Written notice was mailed to all property owners and tenants within 300 feet. At the time of this writing, staff had not received any input on the request.
6. Please see the floor plan on the following pages and the enclosed rendering of the building improvements.

**Looking northeast from the southern entrance off Barclay St**



**Looking northwest from the southeast corner of the lot**

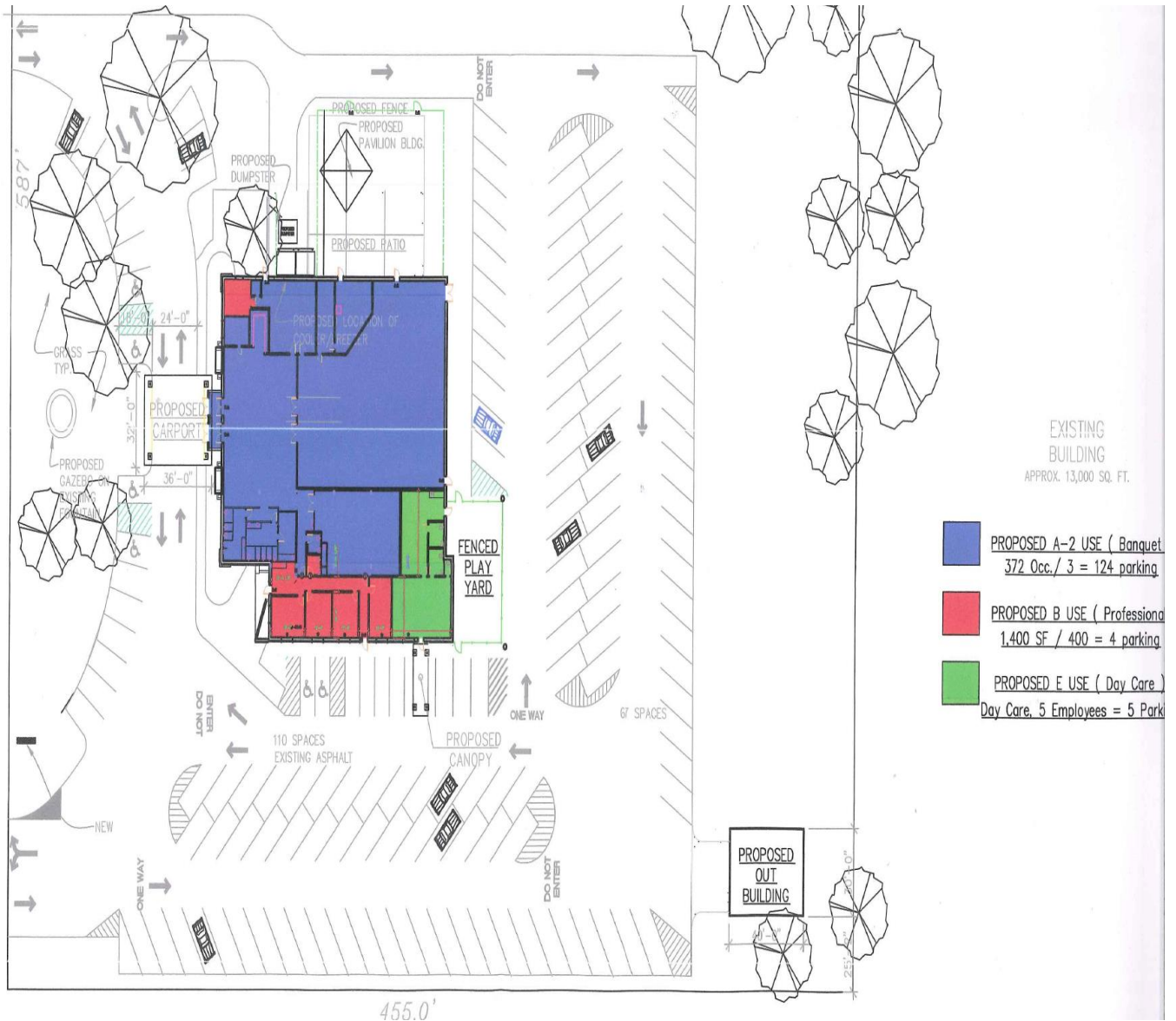


**Privacy fence along southern property line**





# Building Floor Plan



## Aerial Map



## MOTION FOR CONSIDERATION

I move that the special use permit to allow a banquet facility, community center, day care, office and ice cream shop in an R-1, Single Family Low Density Residential District at 2330 Barclay be (approved/denied) with the following conditions:

1. Hours of operation be restricted from \_\_\_\_ to \_\_\_\_.

**Hearing, Case 2017-15:** Staff-initiated request to amend Section 2334 of the zoning ordinance to amend the rules on electronic message board signs and to allow them in B-1, Limited Business Districts and WM, Waterfront Marine Districts, as well as at churches in all zoning districts and all business that have been granted a special use permit in residential districts.

## SUMMARY

1. The Mart Dock, located at 560 Mart St (zoned Waterfront Marine), would like to install an electronic message board sign. However, these types of signs are prohibited in Waterfront Marine districts. They are also prohibited in B-1, Limited Business districts and at churches and approved businesses in residential zones.
2. Electronic message board signs have been allowed by the zoning ordinance for over 10 years and staff has not received any major complaints on them.
3. Staff has had to deny some electronic message board sign requests for some businesses and churches because of the current sign ordinance. Staff is requesting to allow these signs in more zoning districts to allow these churches and businesses to effectively promote themselves. There currently are some churches that are allowed to have electronic message board signs because they are located in business districts. However, most churches are located in residential districts.
4. Where already allowed in the current ordinance, there is a provision that states “electronic message boards shall be dimmed at dusk.” This allows staff to enforce on the brightness of any sign that may possibly cause a nuisance to any residential uses at night. Staff has not had to enforce using this as of yet, but it is good to have if a problem ever arises.
5. In addition to the electronic message board sign request, the Mart Dock also requested to have a 14’ tall sign. Signs in Waterfront Marine districts are only allowed to be a maximum of 8’ tall. Staff feels that the ordinance is correct here for the most part, given that most Waterfront Marine districts are located in Lakeside, and we should limit the height of pole signs in this area to avoid blight and diminished lake views. However, an 8’ tall sign would be too small to notice for someone driving on Shoreline Dr at 55 MPH. Staff recommends allowing taller signs in these districts as long as the property has frontage on a highway.



### Current Message Board Sign at Mart Dock



**Electronic Message Boards Sign at Mount Zion Church (188 W Muskegon Ave). This property is zoned Form Based Code, where these signs are allowed.**



**First Congregational Church (1201 Jefferson St). This property is zoned R-1, where electronic message board signs are not allowed.**



**Various signs in Lakeside, where electronic message board signs are not allowed**







This building was recently approved for a SUP to operate a restaurant in an R-1 district, where electronic message boards are not allowed.



## NEW LANGUAGE

Deletions are ~~crossed out~~ and additions are in **bold**.

6. Permitted signs in all residential and mobile home park districts:
  - a. Entranceway monument signs are permitted for residential developments of up to twelve (12) square feet. One sign for each major public road frontage may be provided. Signs shall not exceed eight feet in height.

- b. Internally illuminated monument signs of up to thirty-two (32) square feet, not exceeding eight (8) feet in height, and internally lit wall signs up to twenty-four (24) feet for lawful institutional uses such as churches and schools. [amended 7/06]
- c. Legal business uses in residential districts are permitted signage as allowed in the B-1 zoning district, except for those uses otherwise addressed in this section. [amended 4/02]
- d. One (1) non-illuminated wall sign of up to eight (8) square feet for a home occupation. [amended 12/01]
- e. Changeable copy or message boards shall be part of a fixed, permanent sign and shall have rigid letters. ~~Electronic message boards are prohibited.~~
- f. **Electronic message boards shall be permitted for all churches and business granted special use permit to operate in a residential district, provided:**
  - 1) **One electronic message board shall be permitted per premise.**
  - 2) **Electronic message boards shall be dimmed at dusk.**
  - 3) **Electronic message boards shall not be permitted for home businesses.**

8. Permitted signs in the B-1, Waterfront Marine Zone, Open Space Conservation, Open Space Recreation, and Lakefront Recreation:

- a. Scope: Signs shall pertain exclusively to the business carried on within the building.
- b. ~~Lighting: Signs may be illuminated, but no flashing or moving illumination shall be permitted.~~
- c. Number: One monument sign is permitted per property regardless of the number of businesses there. Properties with frontage on Muskegon Lake are permitted an additional monument or pole sign on the water frontage only.
- d. Wall, Awning or Braquet Signs, Size: Signs shall not exceed ten (10) percent of the surface area of the commercial portion of the front building and may be placed on any wall. In the case where the building is over one hundred feet (100') from the road, this allotment may be 15% of the front face of the storefront. In the case where the building is over 300 feet from the road, this allotment may be 20% of the front face of the storefront. In the case where the property has parallel frontage on at least one major street or corner frontage on at least one major street, this allotment may be 15% of the front face of the storefront.
- e. Wall, Awning or Braquet Signs, Placement: Signs shall be placed against the principal building or on a canopy. Signs shall not project above the roof line or cornice. No wall sign shall interrupt or conceal the architectural details of a building. A sign attached to a mansard shall be considered a wall sign.
- f. Changeable copy or message boards shall be part of a fixed, permanent sign and shall have rigid letters. ~~Electronic message boards are prohibited.~~



g. **Electronic message boards, provided:**

- 1) **One electronic message board shall be permitted per premise.**
- 2) **Electronic message boards shall be dimmed at dusk.**

h. Free-standing signs:

- 1) Setback: The leading edge of the sign must be out of the public right-of-way. Signs must be a minimum of 10 feet from a neighboring sign.
- 2) Clear vision: Signs shall not obstruct clear vision requirements for motorists.
- 3) Area and height: Signs shall comply with the area requirements of Table II and shall not exceed eight feet (8') in height. **However, any parcel with frontage on a highway shall be allowed to follow the height restrictions of Table II.**

**MOTION FOR CONSIDERATION**

I move that the proposed amendments to the Sing ordinance be recommended to the City Commission for (approval/denial).

**Hearing, Case 2017-16:** Staff-initiated request to rezone several parcels to R-2, Single Family Medium Density Residential District. Please see map for a description of parcels to be rezoned.

1. This request is a continuation of the rezoning efforts we have been working on to allow smaller lot development on the appropriate blocks.
2. Please see the development standards below and the enclosed rezoning maps. A larger, clearer map will be provided at the meeting.

#### **Development Standards**

	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>
Minimum Lot Size	6,000 sf	4,000 sf	3,000 sf
Minimum Lot Width	50 ft	40 ft	30 ft
Maximum Lot Coverage	Buildings: 50% Pavement: 10%	Buildings: 60% Pavement: 15%	Buildings: 70% Pavement: 20%
Height Limit*	2 stories or 35 feet**	2 stories or 35 feet**	2 stories or 35 feet**
Front Setbacks***	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 15 feet	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 10 feet	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 10 feet
Rear Setback	30 ft	20 ft ^	15 ft^
Side Setbacks#:	1 story: 6 2 story: 8	1 story: 6 2 story: 7	1 story: 5 2 story: 5
Ordinary High Water Mark /Wetland Setback	30 ft	30 ft	30 ft

#### **MOTION FOR CONSIDERATION**

I move that the request to rezone the parcels to R-2, Single Family Medium Density Residential District, as described on the map be recommended for (approval/denial) to the City Commission.

**Hearing, Case 2017-17:** Staff-initiated request to rezone several parcels to R-3, Single Family High Density Residential District. Please see map for a description of parcels to be rezoned.

#### **MOTION FOR CONSIDERATION**

I move that the request to rezone the parcels to R-3, Single Family High Density Residential District, as described on the map be recommended for (approval/denial) to the City Commission.